

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ZENA PITTS,

Plaintiff,

v.

Case No. 8:21-cv-2033-VMC-CPT

GEOVERA SPECIALTY INSURANCE
COMPANY,

Defendant.

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ORDER

This matter comes before the Court upon consideration of United States Magistrate Judge Christopher P. Tuite's Report and Recommendation (Doc. # 105), entered on July 5, 2023, recommending that Defendant GeoVera Specialty Insurance Company's Motion for Entitlement to Attorney's Fees and Costs (Doc. # 94) be granted in part and denied in part. No objections have been filed, and the time for filing objections has lapsed.

The Court accepts and adopts the Report and Recommendation, grants in part and denies in part the Motion, and awards Defendant \$2,293.39 in costs.

Discussion

After conducting a careful and complete review of the findings and recommendations, a district judge may accept,

reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendation. 28 U.S.C. § 636(b)(1)(C). If a party files a timely and specific objection to a finding of fact by the magistrate judge, the district court must conduct a *de novo* review with respect to that factual issue. Stokes v. Singletary, 952 F.2d 1567, 1576 (11th Cir. 1992). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994).


After conducting a careful and complete review of the findings, conclusions, and recommendations, and giving *de novo* review to matters of law, the Court accepts the factual findings and legal conclusions of the Magistrate Judge.

Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

- (1) The Report and Recommendation (Doc. # 105) is **ACCEPTED** and **ADOPTED**.
- (2) Defendant GeoVera Specialty Insurance Company's Motion for Entitlement to Attorney's Fees and Costs (Doc. # 94) is **GRANTED in part** and **DENIED in part**. Defendant is entitled to costs in the amount of \$2,293.39. The Motion is denied in all other respects.
- (3) Plaintiff Zena Pitts' request in her response that the Court impose sanctions on GeoVera is denied.
- (4) The Clerk is directed to enter judgment in favor of Defendant GeoVera Specialty Insurance Company and against Plaintiff Zena Pitts in the amount of \$2,293.39 in costs.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 20th day of July, 2023.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE